



West Virginia Senate

Committee on the Judiciary

Minutes for MARCH 16, 2021, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on March 16, 2021, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Blair, Grady, Maynard, Phillips, Rucker, Smith, Beach, Caputo, Lindsay, Romano, Woelfel

Members absent: Senators Stover, Takubo, Woodrum

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

S. B. 569 - Relating to damages for medical monitoring.

Mark Dean, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Chris Appel, American Tort Reform Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Harry Deitzler, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Senator Romano moved to amend the committee substitute on page 1, by striking subsection (a) in its entirety and renumbering the remaining subsections, and also in subsection (b), to state that medical monitoring be administered on a reimbursement basis.

Chairman Trump removed **H.B. 2382** from the agenda.

The amendment was put and the Chair being in doubt, a division of the body was demanded by Chairman Trump.

The vote being 5 in favor and 9 opposed, the amendment was rejected.

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass.

S. B. 614 - Including family court judges in Judges' Retirement System.

Laura Goins, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Kenneth Woodson, West Virginia Consolidated Public Retirement Board Actuary, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute.

On motion of Senator Weld, the committee reported the committee substitute to the full Senate with the recommendation that it do pass, but first be referred to the Committee on Finance.

On Motion of Senator Weld the committee adjourned.



Charles S. Trump
Chair



Beverly Douglas
Clerk/Analyst



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 16th day of March, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Chris Appel

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Testimony taken this 16th day of March, 2021, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Harry Deitzler

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 16th day of March, 20 21, in
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be
the truth, the whole truth, and nothing but the truth, so help me
God."

Kenneth Woodson

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name